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South Carolina House of Representatives

Legislative Update

David H. Wilkins, Speaker of the House

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STATE DOCUMENTS

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HOUSE WEEK IN REVIEW

On Wednesday, January 22, the House of Representatives sat with the Senate in Joint Assembly to receive Governor Mark Sanford's State of the State Address. Much of the rest of the legislative week was spent in consideration of bills at the subcommittee and committee levels.

The House approved and sent to the Senate H.3342, a joint resolution to authorize the South Carolina State Ports Authority to proceed with the permitting and development of a **MARINE CARGO TERMINAL ON THE SOUTHERN END OF THE FORMER CHARLESTON NAVAL BASE**, and to encourage the expeditious issue of necessary permits toward that end.

The House adopted and sent to the Senate Concurrent Resolution H.3401 to recognize President Ronald Wilson Reagan by declaring that February sixth be known as "**RONALD REAGAN DAY**" in honor of his service as President of the United States of America.

HOUSE COMMITTEE ACTION

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

The full Committee did not meet this week.

EDUCATION AND PUBLIC WORKS

The full Committee met, but did not consider legislation.

JUDICIARY

The full Judiciary Committee met on Tuesday, January 21, and reported out several measures.

The Judiciary Committee gave a report of favorable with amendments on H.3206, a bill providing comprehensive **CAMPAIGN FINANCE** revisions. As approved by the committee, the bill provides for revised campaign finance disclosure requirements, enhanced penalties for campaign practice violations, and revised requirements for lobbyists and lobbyist principals. Most notably, these revisions include:

- **Disclosure by Political Parties:** The bill requires political parties, legislative caucus committees, and party committees to disclose anything of value that

is received in excess of a \$500 threshold. This includes all funds received for operating expenses, "party-building" expenses, and other funds commonly referred to as "soft money."

- **Required Reporting of Independent Expenditures:** H. 3206 adds a "person who makes independent expenditures of \$500 or more during an election cycle for the purpose of influencing the outcome of an elective office" to the group of persons and entities that must file disclosure reports.
- **Disclosure for Influencing the Outcome of Elections:** The bill further defines the term "influence the outcome of an elective office" for purposes of clarifying who has to file disclosure reports. The revised definition would include campaign slogans or individual words that can only reasonably be interpreted to urge the election or defeat of a clearly identifiable candidate such as "Smith's the One", "Jones 2000", "Smith/Jones", "Jones!", or "Smith-A man for the People!".
- **Reporting by Ballot Measure Committees:** The bill defines "ballot measure committees" and makes such committees subject to reporting and disclosure requirements. This definition includes a person or persons who receives contributions or makes independent expenditure totaling \$500 or more during an election cycle for the purpose of influencing the outcome of a ballot measure.
- **Penalty Enhancements:** H. 3206 eliminates the \$500 cap on civil penalties for failure to file disclosure reports. Currently, a person who violates this provision must pay a mandatory \$100 penalty if the report is not filed within 5 days of due date plus \$10 per day after notice is sent to the delinquent filer but only up to a \$500 cap. The bill creates a new penalty for intentional campaign practice violations and certain reporting violations. It adds a fine of up to 500% of the amount of contributions and anything of value that should have been reported to the current penalty of not less than \$5,000 and/or imprisonment for not more than 1 year.
- **Identification by Candidates and Committees:** Currently, candidates, committees or other persons are required to place their name and address on all printed matter which is distributed or posted to voters. The bill revises this provision so as to require the name and address be printed in all capital letters and in twelve-point type.
- **Exploratory Committees:** The bill revises the definitions of "candidate" and "contribution" to apply the Ethics Act to exploratory candidates and committees. The legislation provides that a candidate includes persons exploring whether or not to seek election and a contribution includes anything of value given to a candidate to explore whether or not to seek election.

- **Lobbyists and Lobbyist's Principals:** The bill revises provisions relating to registration fees for lobbyists and lobbyist's principals, raising the fees from \$50 to \$100 dollars. The bill eliminates provisions that allow for the immediate deregistration of lobbyists and lobbyist's principals. Instead, the legislation requires that a lobbyist's and a lobbyist's principal's registration with the State Ethics Commission is valid for the entire calendar year for which the lobbyist/lobbyist's principal is registered and that all pertinent provisions and prohibitions apply for the entire calendar year.

The committee gave a report of favorable with amendments on **H.3208**, a bill pertaining to **OVERSIGHT OF PUBLIC ECONOMIC DEVELOPMENT INITIATIVES** conducted by the South Carolina Department of Commerce and the Coordinating Council for Economic Development. This bill provides that monies constituting a fund of any kind used by the Department of Commerce, regardless of their source, are public monies subject to all accountability and disclosure requirements governing public monies. Any exemptions require formal approval by the State Budget and Control Board. The bill requires an annual report of Department of Commerce expenditures to the Governor and the General Assembly which must include an explanation of the specific purpose of each expenditure including recreational or entertainment purposes. The bill provides that funds from foundation grants and private funds used by the Coordinating Council for Economic Development to enhance economic growth and development are public monies subject to all accountability and disclosure requirements governing public monies unless otherwise exempted. The bill revises provisions specifying information that is exempt from disclosure under the Freedom of Information Act, so as to provide that a document reflecting the final financial commitment by a public body is a covered document of, or incidental to, a proposed contractual arrangement and a proposed sale or purchase of property and therefore subject to disclosure as prescribed. The bill provides that a contract related to efforts or activities of a public body to attract or retain business or industry to invest in this state is exempt only until the business or industry publicly announces its project or the council executes a final contract. The bill provides that documentation of efforts or activities of a public body or one acting for a public body to attract or retain business or industry to invest within South Carolina is exempt from disclosure unless the documents relate to the financial commitment by a public body, which documentation loses its exemption once the business or industry has publicly announced its project or the council has executed a final contract.

The Committee submitted a favorable report on **H.3207**, a bill that provides for the **SHORTENING THE LEGISLATIVE SESSION BY REVISING THE TIME OF ANNUAL ADJOURNMENT**. This bill changes the date for the mandatory adjournment of the General Assembly from the first Thursday in June to the second Thursday in May. The bill also provides that in any year that the House of Representatives fails to give third reading to the appropriations bill by March fifteenth, rather than March thirty-first, the date of adjournment is extended by one statewide day for each statewide day after March fifteenth, rather than March thirty-first, that the House fails to give the bill third reading.

The Committee submitted a favorable report on H.3209, a **PROPOSED CONSTITUTIONAL AMENDMENT TO SHORTEN THE LEGISLATIVE SESSION BY REVISING ANNUAL COMMENCEMENT**. This joint resolution proposes an amendment to the Constitution of South Carolina, relating to sessions of the General Assembly, so as to provide for annual sessions of the General Assembly commencing at varying times in even-numbered years and odd-numbered years. Under the proposed amendment, the annual session of the General Assembly would convene on the second Tuesday of January in even-numbered years and on the second Tuesday in February in odd-numbered years. The Senate, like the House of Representatives, would meet on the first Tuesday following the certification of the election of their respective members for not more than three days following the general election in even-numbered years for the purpose of organizing and elections. Officers of the General Assembly, including the Speaker of the House and the President Pro Tempore of the Senate, and committee chairmen would be selected during the organizational session. During odd-numbered years, the presiding officers of the House and Senate would convene on the second Tuesday in January for not more than two days for the limited purpose of accepting any bills or resolutions introduced by any member and referring them to the appropriate committee. Members of the General Assembly would not receive any compensation for more than forty days of any one session. The proposed amendment provides for other revisions regarding the elimination of certain obsolete language.

LABOR, COMMERCE AND INDUSTRY

The full Labor, Commerce and Industry Committee did not meet this week.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The full Committee met, but did not consider legislation.

WAYS AND MEANS

The full Committee did not meet this week.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

H.3360 CATCH LIMITS FOR RED DRUM Rep. R. Brown

This bill increases from two to five the catch limit for red drum in any one day.

H.3367 SIZE AND CREEL LIMITS FOR SALTWATER FISH Rep. Limehouse

This bill authorizes the Department of Natural Resources to establish and adjust, after certain specified items have been considered, size and creel limits for twelve priority saltwater fish within ranges established by the General Assembly.

EDUCATION AND PUBLIC WORKS

H.3357 GOVERNOR'S SCHOOL FOR TEACHING, LEARNING, AND TECHNOLOGY Rep. Bingham

This bill establishes and provides for the Governor's School for Teaching, Learning, and Technology (the School), as a resource for all public schools in the State. The School, which would be located in Richland or Lexington County, would conduct research and develop more effective educational practices and bring to bear the most advanced educational research and practices currently available in public education in a demonstration campus and teaching academy. Best practices would be disseminated to public schools throughout the State. Funding for the School would be as provided by the General Assembly in the general appropriations act.

H.3361 SCHOOL MAKE-UP DAYS Rep. Cato

This bill provides that a school district shall designate days within its school calendar to be used as make-up days for weather conditions or other disruptions. The bill also authorizes local school boards, with approval of the State Board of Education, to lengthen hours of school operation per day if the district calendar does not contain sufficient make-up days.

H.3365 DEPARTMENT OF MOTOR VEHICLES Rep. Townsend

This bill establishes and provides for the Motor Vehicle Division of the Department of Public Safety to become a separate agency known as the South Carolina Department of Motor Vehicles. The bill establishes and provides for a commission to govern the agency and authorizes and provides for an Executive Director who will be appointed by the commission to serve a four-year term.

H.3370 SCHOOL TERM OF LANCASTER SCHOOL DISTRICT Rep. J.M. Neal

This bill provides that beginning with school year 2003-2004, the starting and ending date for the school term of Lancaster County School District must be set by the district board, provided the term complies with relevant statutory requirements.

H.3374 UNITED STATES ARMED SERVICES LICENSE PLATES Rep. Bingham

This bill authorizes and provides for issuance of special motor vehicle license plates which separately honor the United States Army, Navy, Marines, Air Force, and Coast Guard.

H.3378 POWERS/DUTIES OF STATE BOARD OF EDUCATION Rep. Kirsh

This bill devolves the powers and duties of the State Board of Education upon the State Superintendent of Education, effective July 1, 2003.

H.3381 MOTOR VEHICLE STICKERS AND LICENSE PLATES Rep. Davenport

This bill requires county treasurers' offices which accept payment for county motor vehicle property taxes and state motor vehicle registration fees to display signs indicating (with specified wording) that upon payment of such taxes and fees, the Department of Public Safety (DPS) shall forward to the owner the appropriate validation stickers, license plates, and/or registration card. The bill requires that the information contained on the sign be provided in written form to each person who pays these taxes and/or fees.

H.3382 AGE REQUIREMENTS FOR DRIVER'S LICENSES Rep. Davenport

This bill deletes the provisions relating to issuance of a conditional driver's license. The bill raises the minimum age for obtaining a beginner's permit from fifteen to sixteen years, and raises from fifteen to sixteen years the minimum age for a person to be exempt from being required to obtain a beginner's permit because he or she is enrolled in a driver training school.

H.3385 SCHOOL TERM FOR KERSHAW COUNTY DISTRICT Rep. Sheheen

This bill provides that beginning with school year 2003-04, the starting and ending date for the annual school term of the Kershaw County School District must be set by the trustees of the district, so long as the term complies with relevant statutory requirements.

H.3387 SCHOOL TERM FOR KERSHAW COUNTY DISTRICT Rep. Cotty

This bill provides that beginning with school year 2003-04, the starting and ending date for the annual school term of the Kershaw County School District must be set by the trustees of the district, so long as the term complies with relevant statutory requirements.

H.3388 SCHOOL TERM FOR RICHLAND DISTRICT TWO Rep. Cotty

This bill provides that beginning with school year 2003-04, the starting and ending date for the annual school term of Richland County School District Two must be set by the trustees of the district, so long as the term complies with relevant statutory requirements.

H.3397 COMPACT DISC COPIES OF TEXTBOOKS Rep. Walker

In an effort to reduce the weight of backpacks and related back injuries to students, this bill encourages textbook publishers to provide compact disc copies of middle and secondary school textbooks. For pupils without access to computers, the bill encourages schools to issue two textbooks, one for use at school and one for use at home.

H.3403 SCHOOL TERM FOR CHESTER COUNTY DISTRICT Rep. Delleney

This bill provides that beginning with school year 2003-04, the starting and ending date for the annual school term of the Chester County School District must be set by the trustees of the district, so long as the term complies with relevant statutory requirements.

H.3410 RECORDS RETENTION REQUIREMENTS Rep. Harvin

This bill eliminates the State Budget and Control Board from the records retention schedule approval process and eliminates the requirement that the general schedules for records series common to agencies and subdivisions be developed as state regulations.

JUDICIARY

H.3358 PUBLIC LIBRARIES INCLUDED IN LIQUOR LICENSE PROXIMITY RESTRICTIONS Rep. Bingham

This bill revises proximity requirements for establishments and places of business with liquor licenses, so as to extend these requirements to public libraries in addition to the churches, schools, and playgrounds, currently covered by the provisions.

H.3372 CIVIL LAWSUIT PROTECTION FOR THOSE WHO PRESCRIBE DRUGS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION Rep. White

This bill provides that a physician, optometrist, nurse practitioner, or physician assistant may not be sued in a civil action alleging damages caused by a prescription drug that has been approved by the federal Food and Drug Administration, unless the plaintiff pleads specific facts which, if proven, amount to negligence on the part of the medical provider.

H.3373 FATAL MOTOR VEHICLE ACCIDENTS Rep. Bingham

This bill provides that a person who unintentionally causes the death of another person while violating a state law or local ordinance which applies to the operation that use of a vehicle, or to the regulation of traffic, and the violation is the proximate cause of the accident, is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty-five dollars nor more than two hundred dollars or imprisoned for not more than thirty days. The bill also provides that when a motor vehicle accident results in the death of a pedestrian or a person who is either a passenger in, or the operator of a motor vehicle involved in an accident, then a chemical test must be administered on all operators of motor vehicles who are

involved in the accident and upon the decedent if he was not an operator of a motor vehicle.

H.3380 REDUCTION OF CORPORATE LIMITS OF A MUNICIPALITY

Rep. Davenport

This bill revises requirements for the reduction of corporate limits of a municipality, so as to provide that the reduction must be approved by an affirmative vote of a majority of the qualified residents of the area residing in the area to be cut off rather than a majority of the qualified electors of the municipality.

H.3384 "THE ILLEGAL ALIEN ENFORCEMENT ACT" Rep. Littlejohn

This bill enacts the "The Illegal Alien Enforcement Act" so as to provide that, to the extent permitted by federal law, all state, county, and municipal law enforcement officials in this state, and any other person having the power of arrest in this state, are authorized to arrest and detain an individual for a criminal violation of the Federal Immigration and Nationality Act and any federal law relating to aliens illegally present in the United States. The bill also renames and redesignates certain code provisions relating to law enforcement and public safety.

H.3391 PROPOSED CONSTITUTIONAL AMENDMENT: APPOINTMENT OF SECRETARY OF STATE BY GOVERNOR Rep. Cotty

This joint resolution proposes a amendment to the South Carolina Constitution so as to provide for that the Secretary of State will no longer be elected, but will instead be appointed by the Governor to serve at his pleasure and to be removable by him for any reason.

H.3392 PROPOSED CONSTITUTIONAL AMENDMENT: APPOINTMENT OF SUPERINTENDENT OF EDUCATION BY GOVERNOR Rep. Cotty

This joint resolution proposes a amendment to the South Carolina Constitution so as to provide for that the State Superintendent of Education will no longer be elected, but will instead be appointed by the Governor to serve at his pleasure and to be removable by him for any reason.

H.3393 PROPOSED CONSTITUTIONAL AMENDMENT: APPOINTMENT OF ADJUTANT GENERAL BY GOVERNOR Rep. Cotty

This joint resolution proposes a amendment to the South Carolina Constitution so as to provide for that the Adjutant General will no longer be elected, but will instead be appointed by the Governor with those qualifications and under those procedures the General Assembly shall provide by law.

H.3395 VICTIM WITNESS PROGRAM FUNDING Rep. W. D. Smith

This bill revises provisions relating to assessments in Courts Of The Unified Judicial System and General Sessions Court surcharges, so as to provide that not less than twenty-five percent of the revenue retained from these assessments and surcharges must be allocated to the victim witness program of the solicitor in whose circuit the county or municipality is situated.

H.3396 "VICTIM FAIRNESS ACT" Rep. W. D. Smith

This bill provides that the prosecution is allowed the same number of peremptory challenges as the defense in criminal cases.

H.3398 UNLAWFUL TO OBTAIN GOODS ON CREDIT WITH THE INTENT NOT TO PAY Rep. Kennedy

This bill provides that it is unlawful for a person to obtain goods, wares, merchandise, or another item of personal property on credit from a retail sale establishment with the intent not to pay for the items when payment becomes due. The bill provides that circumstantial as well as direct evidence is admissible to prove a person's intention not to pay for goods, wares, merchandise, or another item of personal property obtained on credit. Penalties are provided for violations.

H.3400 CALLS FOR CONSTITUTIONAL CONVENTION DISAVOWED Rep. M. A. Pitts

This bill repeals Joint Resolution 775 of 1976 which called on Congress to balance the federal budget through submitting an appropriate amendment to the states for ratification or in the alternative to call a constitutional convention for this purpose, and to disavow any other calls for a constitutional convention by any means expressed.

H.3404 UNDERAGE TOBACCO DISTRIBUTION/POSSESSION PROVISIONS CHANGED FROM EIGHTEEN TO TWENTY-ONE YEARS Rep. Altman

This bill revises provisions relating to underage tobacco distribution and possession so as to apply these provisions to individuals under the age of twenty-one years rather than eighteen years.

H.3408 LEGISLATIVE CAUCUS BASED ON DURATION OF SERVICE IN THE GENERAL ASSEMBLY Rep. Clemmons

This bill revises provisions relating to definitions concerning lobbyists and lobbying and campaign practices, so as to revise the definition of "legislative caucus" to include a caucus based on duration of service in the General Assembly.

H.3409 COUNTIES AUTHORIZED TO RESTRICT USE OF LAWFUL FIREWORKS Rep. Clemmons

This bill authorizes a county by ordinance to regulate or prohibit the discharge of otherwise lawful fireworks in parts of the county where, because of population density or contiguity to municipalities, the public safety requires this regulation.

LABOR, COMMERCE AND INDUSTRY

H.3386 PROFESSIONAL CONDUCT OF APPRAISERS Rep. Huggins

This bill revises provisions relating to uniform standards of professional appraisal practice, so as to prescribe professional conduct of appraisers in conformance with the Uniform Standards of Professional Appraisal Practice, (USPAP) as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

H.3379 EYE EXAM FOR DRIVER'S LICENSE Rep. Davenport

This bill provides that eye exams for driver's licenses may be made by mechanical devices authorized by law for this purpose, or by a person who operates a device certified by the department which performs eye exams. The bill also provides that a person whose vision requires correction may not omit that correction during a mechanical exam.

WAYS AND MEANS

S.149 TRANSFER OF NATIONAL GUARD ARMORY Sen. Moore

This joint resolution authorizes the State Budget and Control Board to transfer ownership of the surplus National Guard Armory in Johnston to the Town of Johnston.

H.3359 USE OF VOICE-MAIL SYSTEMS Rep. Kirsh

This bill prohibits use of voice mail system by state or local government agencies if the employee or officer is at his regularly assigned workstation and his telephone is functional and available for use, unless the voice mail system provides the caller with access to, or automatically transfers the caller to, a nonelectronic attendant.

H.3362 LIFE AND HEALTH INSURERS Rep. Tripp

This bill includes numerous provisions regarding taxation of life and health insurers in South Carolina. The bill authorizes and provides for life and health insurance companies, under specified circumstances, to elect to be taxed either on the basis of premiums collected or on the basis of income. The bill also allows and provides for a tax credit, subject to limitation, of five percent of the salaries paid to South Carolina employees who are replacement hires and ten percent of the salaries paid to South Carolina employees who are not replacement hires. The bill provides a credit for municipal license fees and taxes for insurance companies organized as life and health insurers. The bill authorizes and provides for life and health insurers to file consolidated returns with other insurance companies meeting certain statutory common control requirements.

H.3363 TAX CREDIT FOR LONG-TERM CARE INSURANCE PREMIUMS Rep. White

This bill allows a tax credit of fifteen percent of the total amount of premiums paid by a taxpayer pursuant to a long-term care insurance contract, up to three hundred fifty dollars for each taxable year for each contract. The bill provides that this tax credit is not allowed if the amount paid for premiums was excluded from the taxpayer's gross income for the taxable year.

H.3364 TOBACCO TAX REDUCTION Rep. Snow

This bill reduces the tax on cigarettes from seven cents a pack to two cents a pack and dedicates all revenue from this tax to the Medicaid Expansion Fund.

H.3366 CORPORATE INCOME TAX CREDIT Rep. Ott

This joint resolution allows and provides for a corporate income tax credit of ten percent of amounts expended after 2001 and before 2007 by a manufacturer to provide an adequate water supply for its operations if these expenditures are necessitated by the drawdown of Lake Murray or drought conditions reducing the flow of the Saluda or Congaree Rivers. The bill also provides that unused credit may be carried forward to the corporation's five succeeding taxable years.

H.3369 PAYROLL DEDUCTIONS FOR SOUTH CAROLINA WILDLIFE LAW ENFORCEMENT OFFICERS' ASSOCIATION DUES Rep. Sandifer

This bill provides that dues for the South Carolina Wildlife Law Enforcement Officers' Association may be deducted from state employees and retirees payroll.

H.3371 SOUTH CAROLINA HEALTH, HUMAN, AND MEDICAID SERVICES REORGANIZATION AND ACCOUNTABILITY ACT OF 2003/CIGARETTE TAX Rep. Rice

This bill creates and provides for a single state agency to be known as the Department of Health, Human, and Medicaid Services (the Agency). The Agency would be headed by a director (the Director) appointed by the Governor, and the Agency would be responsible for overseeing all other state health and human services agencies, including the Departments of Alcohol and Other Drug Abuse, Mental Health, Disabilities and Special Needs, Health and Environmental Control, Health and Human Services, Social Services, Vocational Rehabilitation; as well as the Commission for the Blind and the Continuum of Care for Emotionally Disturbed Children. Governing bodies of these agencies would serve in an advisory capacity to the Director. The Agency would be organized into six divisions, each of which would be headed by a division director employed by the Director. The bill requires and provides for regular audits of the Agency and its divisions.

The bill also establishes and provides for the Joint Legislative Committee on Health, Human, and Medicaid Services (the Committee), composed of members of the Senate Finance Committee and the House Ways and Means Committee, charged to study, recommend, and report to the General Assembly and the Governor on certain Medicaid and public health issues delineated in the bill.

The bill also requires and provides for the Director to submit an annual report to the State Budget and Control Board entitled "Medicaid Cost Containment Action Plan," a report which includes projected expenditures for the State Medicaid program for the next fiscal year.

The bill also provides for implementation of an Enterprise Information Technology System (the System), an effort to be headed by the Director, with a goal of adding technological operational efficiencies for the Agency divisions. This System would prioritize eligibility determination and coordination.

The bill also imposes and provides for a 2.1 cents surtax on each cigarette, the revenue from which would be used as follows: the first one million dollars would be divided between the Committee; the Agency for start-up costs; the System; the required audits; and specified programs or public health promotion; and the remaining revenue would be credited to a separate fund known as the Medicaid Matching Fund.

**H.3383 QUARTERLY PROPERTY TAX PAYMENTS BY SMALL
BUSINESSES Rep. Davenport**

This bill authorizes and provides for quarterly payments of property taxes by small businesses, "small business" being defined as a firm with fifty or fewer employees.

H.3390 STOCK DIVIDENDS Rep. Viers

This bill provides a deduction from individual taxable income for stock dividends reported on a taxpayer's individual federal income tax year.

H.3399 COMMON PLEAS/FAMILY COURT FEES Rep. Altman

This bill repeals the section which authorizes a twenty-five dollar filing fee for motions made in Common Pleas Court and in certain Family Courts.

H.3411 SOUTH CAROLINA RETIREMENT SYSTEMS Rep. Taylor

Currently, a member working in South Carolina's "correlated retirement systems" is not eligible to receive retirement payments while employed in a position covered by the South Carolina Retirement System or the South Carolina Police Officers Retirement System. "Correlated system" is defined as one or more of the following: South Carolina Retirement System, South Carolina Police Officers Retirement System, and General Assembly Retirement System. This bill provides that this prohibition does not extend to disability retirement benefits. The bill eliminates the earnings limitation applicable to disability retirement under the South Carolina Police Officers Retirement System. The bill exempts disability retirement beneficiaries from earnings limitations. The bill provides that disability benefits are discontinued only if the Medical Board finds that a beneficiary is able to return to gainful employment in the same or a substantially similar occupation to the one for which the members was determined to be disabled. The bill also eliminates provisions for partial reduction in benefits, and provides that a beneficiary when returning to covered employment is not a member of the system.

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